

IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA

FILED

SEP 18 2008

KEVIN J. MERRITT a/k/a EDWARD A.)
URBANSKI, JR.,)

Plaintiff,)

vs.)

RYAN STARK, individually, et al.,)

Defendants.)

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY W.H. DEPUTY

No. CIV-06-1427-W

ORDER

On August 27, 2008, United States Magistrate Judge Robert E. Bacharach issued his recommendations with regard to certain motions filed by the defendants in light of the parties' Stipulation of Dismissal filed on July 30, 2008, wherein the parties agreed that all claims against defendants John Doe Jail Guards # 1 and #2 ("Jail Guards"), Robert Easley, City of Oklahoma City ("City"), Oklahoma County Sheriff's Office, John Whetsel and Oklahoma County through the Board of County Commissioners ("Board") should be dismissed. The parties were advised of their right to object to the Magistrate Judge's Report and Recommendation, but no party has filed an objection within the allotted time.

Upon review, the Court concurs with Magistrate Judge Bacharach's suggested disposition of these motions, and accordingly,

(1) ADOPTS the Report and Recommendation [Doc. 290] issued on August 27, 2008; and deems the following matters MOOT:

(a) Motion for Summary Judgment [273] filed by the City on June 17, 2008;

(b) Motion for Summary Judgment [Doc. 276] filed by Easley on June 17,

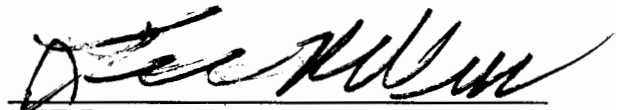
2008;

(c) Motion for Summary Judgment on Count IV [Doc. 278] by the Board and Whetsel filed on June 17, 2008; and

(d) Motion for Summary Judgment as to Count III [Doc. 280] filed by the Jail Guards on June 17, 2008; and

(2) RE-REFERS this matter to Magistrate Judge Bacharach for further proceedings.

ENTERED this 18th day of September, 2008.


LEE R. WEST
UNITED STATES DISTRICT JUDGE